North Central Regional Transit District
Board Meeting
Friday, October 14, 2011

CALL TO ORDER:

A regular monthly meeting of the North Central Regional Transit District Board was called to order on the above date by Chair Rosemary Romero at 9:14 a.m. at the New Mexico Municipal League, 1229 Paseo de Peralta, Santa Fé, New Mexico.

1. **Pledge of Allegiance**

2. **Moment of Silence**

3. **Roll Call**

Roll call indicated the presence of a quorum as follows:

Members Present:	**Elected Members**	**Alternate Designees**
Los Alamos County	Councilor Michael Wismer [T]	Ms. Anne Laurent
Taos County	Commissioner Dan Barrone [T]	Mr. Jacob Caldwell [T]
Santa Fé County	Commissioner Robert Anaya	Commissioner Danny Mayfield
Rio Arriba County	Commissioner Barney Trujillo	Mr. Tomás Campos [T later]
Ohkay Owingeh		Ms. Kateri Keevama
Pojoaque Pueblo	Mr. Tim Vigil [T]	
San Ildefonso Pueblo	Councilman Raymond Martínez [T]	
Santa Clara Pueblo		
Tesuque Pueblo		Mr. Sammy Romero

City of Santa Fé	Councilor Rosemary Romero	Ms. Judith Amer
City of Española	Councilor Robert Seeds	
Members Absent:	**Elected Members**	**Alternate Designees**
Los Alamos County		
Taos County		
Rio Arriba County		
Pojoaque Pueblo		Councilman Cameron Martínez
San Ildefonso Pueblo		Ms. Sandra Maes
Ohkay Owingeh	1st Lt. Gov. Virgil Cata	
Santa Clara Pueblo	Sheriff John Shije	Ms. Mary Lou Quintana
Tesuque Pueblo	Governor Charles Dorame	
City of Santa Fé		
City of Española		Councilor Helen Kane-Salazar

Staff Members Present
Ms. Cynthia Halfar, Executive Assistant/ Human Resources Specialist
Ms. Kelly Muniz, Financial Manager
Mr. Tony Mortillaro, Executive Director
Mr. Peter Dwyer, Counsel for NCRTD
Ms. Annette Velarde, Public Information Officer
Mr. Ivan Guillen, Regional Coordinator
Mr. Gus Martinez, Fleet Manager
Ms. Michelle Jacquez, Operations Analyst

Others Present
Mr. Andrew Jandàček, Santa Fé County
Mr. Jon Bulthuis, Santa Fé Trails
Mr. Bob Saar, Santa Fé Southern
Mr. David Harris, NMDOT
Three reporters

4. Introductions

Those present introduced themselves.

5. Approval of Agenda

Commissioner Anaya requested an addition to the agenda to discuss the route going south to and from Edgewood. He asked if it could be closer to the front of the agenda since he would have to leave early.

Chair Romero agreed to add it at the top of the discussion items.

Chair Romero moved to approve the agenda as amended. Councilor Seeds seconded the motion and it passed by unanimous voice vote.

6. Approval of Minutes for September 2, 2011

Chair Romero moved to approve the minutes of September 2, 2011 as presented. Councilor Seeds seconded the motion which passed by unanimous voice vote except that Commissioner Anaya abstained.

7. Executive Session pursuant to NMSA 1978, § 10-15-1.H (2) for the purpose of limited personnel matters.

Commissioner Anaya moved to go into closed session pursuant to NMSA 1978, § 10-15-1.H (2) for the purpose of limited personnel matters. Commissioner Trujillo seconded the motion and it passed by unanimous roll call vote with Rio Arriba County, Taos County, Santa Fé County, Pojoaque Pueblo, San Ildefonso Pueblo, Ohkay Owingeh, Tesuque Pueblo, City of Santa Fé and City of Española voting in favor and none voting against.

The Board went into executive session at 9:17 a.m.

During the executive session, Councilor Wismer and Mr. Campos jointed the meeting by telephone.

At 12:17 the Board ended the executive session.

Councilor Wismer moved to return to open session. Chair Romero seconded the motion which passed by unanimous roll call vote with Los Alamos County, Rio Arriba County, Taos County, Santa Fé County, Pojoaque Pueblo, San Ildefonso Pueblo, Ohkay Owingeh, Tesuque Pueblo, City of Santa Fé and City of Española voting in favor and none voting against.

Chair Romero announced to the public that during the closed session no actions were taken and the only matters discussed were limited personnel matters pursuant to NMSA 1978 Section 10-15-1.H (2).

ACTION ITEMS FOR APPROVAL/DISCUSSION

A. Approval of Executive Director Contract

Public Comment

Mr. John Whitbeck read his statement to the Board and it is attached to these minutes as Exhibit A.

There were no other public comments concerning this agenda item.

Commissioner Anaya said in discussion, the Board was in agreement on several points in the contract and all members felt that Mr. Mortillaro was doing a good job. There was not an agreement on the salary and the consultant's salary.

Commissioner Anaya moved to offer the Executive Director a base salary of $96,000 and have a performance review in six months based on bench marks and if he achieved them, to receive a 5% increase in salary. Commissioner Trujillo seconded the motion.

Councilor Seeds asked for a friendly amendment to state that the Executive Director would receive all of the benefits the same as all other employees. Commissioner Anaya and Commissioner Trujillo agreed. The motion failed by roll call vote with Rio Arriba County, Santa Fé County and City of Española voting in favor and Los Alamos County, Taos County, Pojoaque Pueblo, San Ildefonso Pueblo, Ohkay Owingeh, Tesuque Pueblo and City of Santa Fé voting against.

Ms. Halfar said by weighted votes there were 7 in favor and 15 against.

Chair Romero moved to approve a salary of $100,000 [for the Executive Director] to be re-evaluated in six months, using an objective third party to develop a compensation plan, de minimus use of a car provided to Mr. Mortillaro by the NCRTD removal of the provision of 90 days' termination and that the severance package be 4 months as part of the discussions earlier regarding severance.

Commissioner Mayfield asked for clarification on the previous vote.

Chair Romero explained it was by weighted votes.

A recount by Ms. Halfar showed the first motion results by weight to be 11 in favor and 15 against.

Councilor Wismer seconded the motion.

Mr. Caldwell asked if Chair Romero had included the employee benefits in her motion.

Chair Romero amended her motion to include employee benefits the same as for all employees Councilor Wismer agreed.

Councilor Wismer clarified that this motion eliminated the $500/ month allowance for mileage but included an agency car for de minimus use.

The motion passed by majority roll call vote with Los Alamos County, Taos County, Pojoaque Pueblo, Ohkay Owingeh, Tesuque Pueblo and City of Santa Fé voting yes and Rio Arriba County, Santa Fé County and City of Española voting no. The weighted vote count was 15 in favor and 11 against.

Councilor Wismer, Councilor Seeds and Mr. Vigil excused themselves from the meeting.

Commissioner Anaya reported that the bus to and from Edgewood was over full and people were being denied so a bigger vehicle or two vehicles were needed.

Commissioner Anaya and Mr. Romero left the meeting and a quorum was lost.

Chair Romero said they would schedule a conference call next week.

B. Approval of Resolution 2011-09: Adoption of the Adjusted NCRTD Pay Plan for FY 2012

Not considered for lack of a quorum.

C. Approval of Resolution 2011-10: Adoption of the NCRTD Financial Policy

Not considered for lack of a quorum.

D. Authorization for the Executive Director to Purchase and Expend Funds from the State of Good Repair Grant

Not considered for lack of a quorum.

E. Approval of Resolution 2011-11: NCRTD Vehicle Disposal

Not considered for lack of a quorum.

F. Approval of Resolution 2011-12: Adoption of the Updated NCRTD Drug and Alcohol Policy

Not considered for lack of a quorum.

G. Approval of the NCRTD Service Policy for Non-Profit Organizations

Not considered for lack of a quorum.

H. Approval of Resolution 2011-13: The NCRTD Records Retention Policy

Not considered for lack of a quorum.

DISCUSSION ITEMS:

Discussion of Route to and from Edgewood

Not considered for lack of a quorum.

I. Update of the Jim West Regional Transit Center

Not considered for lack of a quorum.

J. Final Budget for FY 2011

Not considered for lack of a quorum.

K. Status of FY 2010 and FY 2011 Audits

Not considered for lack of a quorum.

L. Budget & Expenditure Report for FY 2012

Not considered for lack of a quorum.

M. Finance/Regional Coordination & Consolidation Subcommittee Report

Not considered for lack of a quorum.

N. Executive Report for August and September 2011 and Comments from the Executive Director

Not considered for lack of a quorum.

MATTERS FROM THE BOARD

Not considered for lack of a quorum.

MISCELLANEOUS

Not considered for lack of a quorum.

ADJOURN - Next Meeting: November 4, 2011

The meeting adjourned at 12:33 for lack of a quorum.

Approved by:

Rosemary Romero

Rosemary Romero, Chair

Attest:

Michael Wismer

Michael Wismer, Secretary

Submitted by:

Carl Boaz

Carl Boaz, Stenographer